

FEB 10 2006

FROMMER LAWRENCE & HAUG LLP

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FACSIMILE COVER LETTER

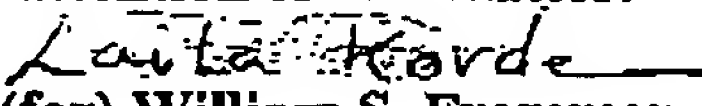
PLEASE DELIVER TO EXAMINER HUYNH, SON P.

To: Central Fax Center
Firm: U.S. Patent and Trademark Office
Facsimile No.: 571-273-8300
From: William S. Frommer
Date: February 10, 2006

Re: U.S. Patent Appln. Serial No. 09/627,725
Our Ref.: 450100-02622

No. of Pages:
(including cover page)

Dear Examiner Huynh: Per our telephone conversation, enclosed is a duplicate copy of the Request For Continued Examination that was filed on December 24, 2004 (more than a year ago) following receipt of the Advisory issued 11/16/04. Also enclosed is a copy of the postcard return receipt. Please ensure that the PTO records show that the RCE was originally filed on 12/24/04. Notice of Appeal was filed earlier on 10/25/04 simply to keep the application alive and prior to the issuance of the advisory. Please consider the RCE and allow this application on the merit, without further delay. Thank you for your attention to this matter.


(for) William S. Frommer
Reg. No. 25,506

If you do not receive all pages or are unable to read the transmission, please call and ask for Laila korde at ext. 2011

Tel: 212-863-2011

571 223

Serial No. 09/627,725 File No. 450/00-02622 By DMS/TK

Title in the Matter of the Application of Tomoko OYABU et al.

The following due 12/15 in the U.S. Patent Office, was received in the Patent Office

☐ Affidavit ☐ Declaration

☐ Amendment ☐ Express Mail Mailing Label # EV 195875778 US

☐ Preliminary Amendment ☐ (separate sheet)

☐ Amendment After Final Rejection ☐ Check No. 034467 for \$ 790.00

☐ Request for Extension of Time ☐ Amex Payment No. for \$ (fee)

☐ Provisional Patent Application ☐ Deposit Account Order Form

☐ Application for Patent, including ☐ Drawing Sheet(s)

☐ Pages Specification ☐ Abstract ☐ Information Disclosure Statement

☐ Declaration ☐ Oath ☐ Power ☐ PTO Form 1449

☐ Request for Filing Continuation or Divisional Application sheets ☐ Issue Fee/Publication Fee Transmittal

☐ PCT Request sheets, including ☐ Appeal Brief (triplicate) ☐ Letter

☐ Transmittal Letter ☐ Application for TM Registration

☒ Request for Continued Exam (RCE) ☐ Including Specimens

☐ Assignment ☐ Recordation Cover Sheet ☐ Status Request ☐ Notice of Appeal (triplicate)

☐ Amendment Fee Transmittal ☐ Petition ☐ Response

☐ Claim of Priority ☐ Priority Document ☐ Statement of Use

☐ Request for Approval of Drawings ☐ Response to Examiner's Statement

☐ Diskette with Sequence Listing ☐ Search Report

☐ Response to Notice to File Missing Parts

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1-1-210,428

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DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

APPLICANT	Tomoko OYABU et al.	
SERIAL NO.	09/627,725	FL & H DOCKET NO. 45,0100-02622
TITLE	Program Guide Information from the Patent	
<input type="checkbox"/> APPEAL BRIEF	<input type="checkbox"/> PETITION FEE	
<input type="checkbox"/> APPEAL FEE	<input type="checkbox"/> PETITION FOR CANCELLATION	
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<input type="checkbox"/> EXTENSION OF TIME	<input type="checkbox"/> REQUEST FOR ORAL HEARING	
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NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
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PTO/SB/30 (10/01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/627,725
Filing Date	July 28, 2000
First Named Inventor	Tomoko OYABU
Group Art Unit	2611
Examiner Name	Son P. Huynh
Attorney Docket Number	450100-02622

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under CFR 1.114.

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously mailed on May 26, 2004.
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous


- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(I) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.


- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.
- b. ☒ Check in the amount of \$790.00 is enclosed for the following:
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- d. ☐ This is a Petition to Request a _____-month Extension of Time.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Dennis M. Smid	Registration No. (Attorney/Agent)	34,930
Signature		Date	December 23, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Barnet, Shindelman
Signature	
Date	December 23, 2004

"Express Mail" mailing label number: EV 195875778 US

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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